

# Central Region Review



## U.S. Army Environmental Command Central Regional Office Kansas City, Missouri



★ DECEMBER 2006 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative regulatory developments in federal Regions 6 and 7. Versar, Inc., in support of the Central Regional Environmental Office (CREO), prepares the *REVIEW* to assist you in your compliance efforts. Current and past issues of the *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please e-mail [CREO.regulatory.specialist@nwk02.usace.army.mil](mailto:CREO.regulatory.specialist@nwk02.usace.army.mil) or call (816) 389-3327 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

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**Stakeholders Guide Books Now Available on Denix.** These four guidebooks were developed to help DoD officials and installations to gain an understanding as to how state and local governments make land use decisions that may affect military operations and to facilitate communications and potential collaboration among stakeholders on encroachment issues as well as land use planning and working with land trusts. For a hard copy of any or all of the guides, please call either the Region 6 Army REC at (816) 389-3450 or the Region 7 Army REC at (816) 389- 3448. The links to these and other tools are

[https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/sustainable\\_ranges.html](https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/sustainable_ranges.html).

**Working with State Legislators: A Guide for Military Installations and State Legislators - by National Conference of State Legislatures (NCSL).** The specific link to the NCSL guide is

<https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide-NCSL-State-Legislators.pdf>

**Working with Local Governments: A Practical Guide for Installations - by International City/County Management Association (ICMA) and National Association of Counties (NACo).** The link to the NACo guide is <https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide-ICMA-NACo-LocalGovernment.pdf>.

**Collaborative Land Use Planning: A Guide for Military Installations and Local Governments - by International City/County Management Association (ICMA) and Metropolitan Institute at Virginia Tech (MIVT).** To access this guide, please go to [https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide\\_ICMA\\_MIVT\\_Collab-Land-Use.pdf](https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/Guide_ICMA_MIVT_Collab-Land-Use.pdf)

**Working with Land Trusts: A Guide for Military Installations and Land Trusts - by Land Trust Alliance (LTA).** This guide can be found at [https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/LTA\\_092706-final.pdf](https://www.denix.osd.mil/denix/Public/Library/Sustain/Ranges/SH-Guidebooks/LTA_092706-final.pdf).

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## REGION 6 STATE ACTIVITY

### Regulatory & Legislative Web Sites

Arkansas Department of Environmental Quality (ADEQ)	<a href="http://www.adeq.state.ar.us">http://www.adeq.state.ar.us</a>
Arkansas General Assembly	<a href="http://www.arkleg.state.ar.us/">http://www.arkleg.state.ar.us/</a>
Louisiana Department of Environmental Quality (LDEQ)	<a href="http://www.deq.state.la.us">http://www.deq.state.la.us</a>
Louisiana Legislature	<a href="http://www.legis.state.la.us/">http://www.legis.state.la.us/</a>
New Mexico Environment Department (NMED)	<a href="http://www.nmenv.state.nm.us/">http://www.nmenv.state.nm.us/</a>
New Mexico Legislature	<a href="http://legis.state.nm.us/">http://legis.state.nm.us/</a>
Oklahoma Department of Environmental Quality (ODEQ)	<a href="http://www.deq.state.ok.us">http://www.deq.state.ok.us</a>
Oklahoma Legislature	<a href="http://www.lsb.state.ok.us/">http://www.lsb.state.ok.us/</a>
Texas Commission on Environmental Quality (TCEQ)	<a href="http://www.tceq.state.tx.us/">http://www.tceq.state.tx.us/</a>
Texas Legislature	<a href="http://www.capitol.state.tx.us/">http://www.capitol.state.tx.us/</a>

## ARKANSAS

## Legislative/Regulatory Activity

**NOTICE:** With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Arkansas legislature will be in session from 8 January and will adjourn 9 March 2007.

### STATE OF ARKANSAS PROPOSED RULE

(UPDATE) **AR Pollution Control and Ecology Commission Proposed Regulations: State Implementation Plan for Air Pollution Control and Regulations Implementing the Clean Air Interstate Rule (CAIR) (Regulation No. 19 and new Regulation No. 14).** The Commission is proposing regulations that implement EPA's Clean Air Interstate Rule regarding sulfur dioxide (SO<sub>x</sub>) and nitrogen oxide (NO<sub>x</sub>) emissions. A new Chapter 14 would list federal regulations that are replaced by the new provisions, as well as those new federal regulations being adopted by reference; create a "trading budget" for annual allocation of NO<sub>x</sub> ozone season allowances; establish timing requirements for NO<sub>x</sub> ozone season allowance allocations for Electric Generating Units (EGUs); and establish criteria for NO<sub>x</sub> ozone season allowance allocations. In addition, a change to Chapter 19, Section 705 of Regulation No. 19 would implement new record-keeping requirements for emission inventories of stationary sources of air pollution emissions governed by Regulation No. 19. A public hearing was held on 5 December 2006. Comments are due 19 December 2006. The proposed regulations are available at [http://www.adeq.state.ar.us/regs/drafts/reg19\\_draft\\_docket\\_06-012-R/reg19\\_draft\\_docket\\_06-012-R.htm](http://www.adeq.state.ar.us/regs/drafts/reg19_draft_docket_06-012-R/reg19_draft_docket_06-012-R.htm). For more information, please call Elizabeth Saitan at (501) 682-0730.

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**NOTICE:** With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Louisiana legislature will convene on 30 April and adjourn on 28 June 2007.

### **STATE OF LOUISIANA PROPOSED RULE**

**(NEW) LA Department of Wildlife and Fisheries Proposed Regulations: Invasive Aquatic Noxious Plants (LAC 76:VII.1101).** LDEQ is proposing amendments to its invasive aquatic noxious plants regulations. The regulations explicitly state the requirements for the control, eradication and prevention of the spread or dissemination within the state of Louisiana all invasive noxious plants. In this category, the Department includes rooting or anchoring hyacinth, Hydrilla, African Elodea, and others. The proposed regulations are available at <http://www.doa.louisiana.gov/osr/reg/0611/0611NOI.pdf> (Page 2186). For more information, please call Gary Tilyou at (225) 765-2800.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(Effective 12 January 2007) EPA Approval and Promulgation of Implementation Plans: Louisiana 2006 Low Enhanced Vehicle, Inspection/Maintenance (I/M) Program.** EPA is taking direct final action to approve the State Implementation Plan (SIP) revision of the Low Enhanced Vehicle Inspection/Maintenance Program for the State of Louisiana. This revision exempts the two newest model year gasoline-fueled passenger cars and trucks from On-Board Diagnostic (OBD) testing. EPA is taking this action in accordance with Sections 110 and 182 of the Clean Air Act. This rule is effective on 12 January 2007 without further notice, unless EPA receives relevant adverse comment by 13 December 2006. If such a comment is received, EPA will publish a timely withdrawal in the Federal Register informing the public that this rule will not take effect. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2006/November/Day-13/a19020.htm>.

**(Effective 12 January 2007) EPA Final Authorization of State Hazardous Waste Management Program Revision.** Louisiana applied to the EPA for final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these changes satisfy all requirements needed to qualify for final authorization, and is authorizing the State's changes through this immediate final action. The EPA is publishing this rule to authorize the changes without a prior proposal because we believe this action is not controversial and do not expect comments that oppose it. Unless EPA receives written comments, which oppose this authorization during the comment period, the decision to authorize Louisiana's changes to its hazardous waste program will take effect. If EPA receives comments that oppose this action, EPA will publish a document in the Federal Register withdrawing this rule before it takes effect, and a separate document in the proposed rules section of this Federal Register will serve as a proposal to authorize the changes. This final authorization will become effective on 12 January 2007 unless the EPA receives adverse written comment by 13 December 2006. If such a comment is received, EPA will publish a timely withdrawal of this immediate final rule in the Federal Register and inform the public that this authorization will not take effect. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-WASTE/2006/November/Day-13/f19089.htm>.

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**NOTICE:** With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The New Mexico legislature will begin its 2007 session on 16 January and will adjourn on 17 March.

## **STATE OF NEW MEXICO PROPOSED LEGISLATION**

(Re-introduced) **H.B. 314 Uniform Environmental Covenants Act.** This measure provides for covenants restricting use of real property subject to environmental remediation. More specifically, H.B. 314 states that any person, including a person who owns an interest in real property, an agency or a municipality or other unit of local government, may be a holder. An environmental covenant may identify more than one holder. The interest of a holder is an interest in real property. This bill "died" at the end of the 2006 session but is being re-introduced to the Radioactive and Hazardous Materials Interim Committee. The revisions are the same amendments NMED proposed last year. An electronic version is not yet available. Sponsor: Representative John A. Heaton

## **STATE OF NEW MEXICO FINAL RULE**

**(Effective 16 December 2006) NM Albuquerque-Bernalillo County Air Quality Control Board Proposed Regulations: Fees Amendments and State Implementation Plan Amendments (20.11.2 NMAC).** The Albuquerque-Bernalillo County Air Quality Control Board (Air Board) adopted amendments to its air regulations regarding fees. The revision package also includes amendments to the State Implementation Plan (SIP). The amendment package includes revisions to Section 20.11.2.18 NMAC, Fee Schedule, that would reduce the (filing) fee amount required by Subsection K of 20.11.2.18 NMAC, Board Hearing Fees, which currently requires that: "Any person who requests a hearing before the board to challenge the issuance of a permit, the terms of a permit or permit modification, the department's refusal to issue a permit, or the department's determination of a source classification or fee calculation for a fugitive dust control permit shall be charged a fee of \$1,000.00, unless the \$1000.00 fee for the hearing process is determined by the board at a hearing to impose an undue economic burden on the petitioner." The proposed amendments would reduce this (filing) fee from \$1000.00 to \$125.00. The proposed amendments to Subsection K of 20.11.2.18 NMAC would also repeal the language that currently allows for a waiver of this (filing) fee if the Board determined that imposing this fee would be "an undue economic burden". Further clarification will be achieved through a proposal to change the term "fee", to the more accurate term "filing fee", within Subsection K of 20.11.2.18 NMAC. The effective date is 16 December 2006. The final amendments are available at <http://www.nmcpr.state.nm.us/nmregister/xvii/xvii22/20.11.2amend.htm>. For additional information, please contact Neil Butt at (505) 768-2600.

## **STATE OF NEW MEXICO PROPOSED RULES**

**(NEW) NM Albuquerque-Bernalillo County Air Quality Control Board Proposed Regulations: New Source Performance Standards for Stationary Sources and Emission Standards for Hazardous Air Pollutants for Stationary Sources (20.11.63 NMAC and 20.11.64 NMAC).** The Board is proposing to amend 20.11.63 NMAC, New Source Performance Standards For Stationary Sources, by incorporating by reference new and modified New Source Performance Standards published in 40 CFR 60, *New Source Performance Standards* (NSPS) through 28 October 2006. It is also proposing to amend 20.11.64 NMAC, Emission Standards For Hazardous Air Pollutants For Stationary Sources, by incorporating by reference new and modified standards published in 40 CFR 61, *National Emission Standards For Hazardous Air Pollutants* (NESHAP), and 40 CFR 63, *National Emission Standards For Hazardous Air Pollutants By Source Category* (NESHAP by Source Category) through 28 October 2006. The Air Quality Control Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the Clean Air Act and the New Mexico Air Quality Control Act, and to require local air pollution sources to comply with air quality standards and regulations. A public hearing will be held on 13 December 2006. Comments are due 6 December 2006. The proposed rulemaking is available at <http://www.nmcpr.state.nm.us/nmregister/xvii/xvii21/AirQualnotice.pdf>. For more information, please call Neil Butt at (505) 768-2600.

(UPDATE) **NM Environment Department Draft Regulations: Surface Water Quality Regulations, Anti-degradation Policy and Implementation Plan (NMAC 20.6.4.8).** NMED is proposing draft surface water quality regulations addressing the anti-degradation policy and implementation plan. The amendments outline the exceptions to the anti-degradation policy in NMAC 20.6.4.8 that allow short-term and temporary degradation and the standards for such approved degradation project implementation. New Mexico's Surface Water Quality Standards (WQS) define water quality goals by designating uses for waterbodies, setting criteria to protect those uses, and establishing provisions to preserve water quality. To meet the requirements of Section 303(c) of the federal Clean Water Act, the WQS are examined for changes on a 3-year rotating basis in a process known as the Triennial Review. A public meeting will be held on 19 December 2006. The draft amendments are available at <http://www.nmenv.state.nm.us/swqb/Standards/20.6.4.8NMAC08-21-06.pdf>. For more information, please call Jane DeRose-Bamman at (505) 476-3671.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(UPDATE) **NM Environment Department Departmental Discussion: Four Corners Air Quality Task Force Discussing Air Quality.** The Department, in conjunction with the state of Colorado, has set up the Four Corners Air Quality Task Force to work on the air quality issues and challenges facing the Four Corners region. The Task Force was created to address: (1) control strategies; (2) technical Coordination (including ambient monitoring and dispersion modeling); (3) control technologies; (4) emissions inventories; and (5) visibility. Individual workgroups/committees will study these issues and create a list of options to the task force about how to proceed. Oil & gas production and coal-fired power plants result in large emissions of air pollution that may be degrading air quality. Specific concerns include National Ambient Air Quality Standards (NAAQS) and Prevention of Significant Deterioration (PSD) increment compliance, and degradation of visibility and increased deposition. Additional information is available at <http://www.nmenv.state.nm.us/aqb/4C/index.html>. For more information, please call Mark Jones (505) 955-8086.

**(Effective 23 January 2007) EPA Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Bernalillo County, NM.** EPA is approving the section 111(d) Plan submitted by City of Albuquerque (Bernalillo County), New Mexico, on 24 May 2006, to implement and enforce the Emission Guidelines (EG) for existing Municipal Solid Waste (MSW) Landfills. The EG require delegated municipalities to develop plans to reduce landfill gas emissions from all MSWs. Finally, this action also approves the concomitant delegation of authority to implement 40 CFR part 60, subparts WWW and Cc. This rule is effective on 23 January 2007 without further notice, unless EPA receives adverse comment by 26 December 2006. If EPA receives such comment, EPA will publish a timely withdrawal in the Federal Register informing the public that this rule will not take effect. For more information, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2006/November/Day-24/a19861.htm>.

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## **OKLAHOMA**

## **Legislative/Regulatory Activity**

**NOTICE:** With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Oklahoma legislature will begin the 2007 session on 5 February and adjourn on 25 March.

## **STATE OF OKLAHOMA PROPOSED RULE**

(NEW) **OK Water Resources Board Proposed Regulations: Amended Water Quality Standards (OAC 785:45 and 785:46 (various sections)).** The Board is proposing amendments to its water quality standards. OAC 785:45-3-2, Applications of Anti-degradation Policy, is amended to add a section dealing with Sensitive Water Supplies. OWRB staff recently re-examined the text surrounding the SWS designations and found some areas that could be clarified. No new limitations are being proposed, but tests are being incorporated into the narrative that should help clarify what benchmarks a waterbody must attain in order to be designated as SWS. OAC 785:45-5-4, Applicability of narrative and numerical criteria, is to be amended in at least two ways. First, the language referring to in-stream applicability is being changed to specify that it applies to all waterbodies. Also in this section, new language is being added to discuss the applicability of site-specific criteria. The circumstance, which created the



need for this amendment is the recognition that no language currently exists which allows for the derivation and use of criteria other than those applied statewide. The intended effect of this amendment is specifically to allow the derivation and use of site-specific criteria, which are already being developed and used. OAC 785:45-5-25, Implementation Policies for the Anti-degradation Policy Statement, is proposed to be amended. Language is being added to this section to clarify the applicability of HQW and SWS designations. Staff re-examined the text surrounding the HQW and SWS designations and found some areas that could be clarified. Appendix E, Requirements for Development of Site-Specific Criteria for Metals, is to be revoked and reenacted with extensive changes. Appendix E is revised to allow for development and promulgation of site-specific criteria for parameters other than metals. The first set of proposed edits involves segregating the applicability to metals and non-metals, as well as situations specific to National Pollutant Discharge Elimination System permits and those that are not related to discharges. Finally, changes are proposed to address the future site-specific criteria needs for nutrients and other non-metals. Appendix G, Numerical Criteria to Protect Beneficial Uses, is to be revoked and reenacted with several changes. New criteria for Nonylphenol, Diazinon, and **Perchlorate** will be added. Water quality criteria are also proposed for perchlorate for the protection of human health as well as fish and wildlife. A public hearing will be held on 12 January 2007. Comments are due on that day. The proposed amendments are available at [http://www.owrb.state.ok.us/util/rules/wqs\\_revisions.php](http://www.owrb.state.ok.us/util/rules/wqs_revisions.php). For more information, please call Derek Smithee at (405) 530-8800.

**CREO Comment:** The water quality criteria comment for perchlorate is in response to McAlester Army Ammunition Plant's inclusion of perchlorate in their permit re-authorization. McAlester is working closely with OKDEQ on these standards.

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## TEXAS

## Legislative/Regulatory Activity

**NOTICE:** With regard to any or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Texas legislature will be in session on 9 January and adjourn on 28 May 2007.

### STATE OF TEXAS PROPOSED LEGISLATION

(NEW) **Texas H.B. 176 - Noise Pollution.** This measure authorizes a commissioner's court to regulate sound levels to promote public health, safety or welfare and allows prohibition of sound that a reasonable person would find objectionable. H.B. 176 was prefiled on 13 November 2006. Pre-filing for Texas began the Monday after election day. Text for pre-files is made available once filed, but committee assignments will not be made until session begins 9 January 2007. A summary can be found at <http://www.legis.state.tx.us/tlodocs/80R/billtext/html/HB00176I.htm>. Sponsor: Representative Kevin Bailey (D)

(NEW) **Texas H.B. 182 - Noise Pollution.** H.B. 182 allows commissioners courts to prohibit the production of sound from a loudspeaker or sound amplifier when the sound exceeds 85 decibels at a distance of 50 feet from the property line of the property on which a loudspeaker or sound amplifier is operated. Text for pre-files is available once filed, but committee assignments will not be made until session begins on 9 January 2007. For information, please go to <http://www.legis.state.tx.us/tlodocs/80R/billtext/html/HB00182I.htm>. Sponsor: Representative Betty Brown (R)

(NEW) **Texas H.B. 299 - Mercury.** H.B. 299 relates to testing and warnings related to mercury levels in certain fish. This bill pre-filed on 20 November 2006, which means it will be formally introduced as legislation when the House and Senate convene January 9, 2007. However, it does not currently have text. Bills will not be assigned to a committee until the session begins. The sponsor is a member of the minority party. Bill text is not yet available. Sponsor: Representative Jessica Farrar (D).

(NEW) **Texas S.B. 93 - Air, Air Permitting and Quality, Air Toxics, Emissions.** This bill requires the owner and operator of a major source to provide daily fence-line monitoring of air contaminant emissions. It requires the owner of the source to maintain records on the measurement and monitoring of emissions. S.B. 93 was filed on 13 November 2006. For information, please go to <http://www.legis.state.tx.us/tlodocs/80R/billtext/html/SB00093I.htm>. Sponsor: Senator Mario Gallegos (D)

**CREO Comment:** Army and Air Force REOs are monitoring this bill closely. It failed to pass in the last legislative session. If it appears that the measure is likely to pass, DoD will provide written and/or oral comment. This bill applies to Title 5 facilities only but all input is welcome.

## **STATE OF TEXAS FINAL RULES**

### **(Effective 7 December 2006) TX Commission on Environmental Quality Proposed Regulations:**

**DFW VOC RACT Update, 2006-011-115-EN.** TCEQ has adopted amendments to its air pollution regulations regarding volatile organic compounds (VOCs). The amendments subject owners or operators of certain VOC-emitting facilities located in Ellis, Johnson, Kaufman, Parker, and Rockwall Counties to the same control, monitoring, testing, recordkeeping and reporting requirements to which owners or operators of facilities in the other four counties in the Dallas Fort Worth (DFW) non-attainment area are subject. The effective date is 7 December 2006. The final amendments are available at

[http://www.tceq.state.tx.us/assets/public/legal/rules/rule\\_lib/adoptions/06011115\\_ado\\_clean.pdf](http://www.tceq.state.tx.us/assets/public/legal/rules/rule_lib/adoptions/06011115_ado_clean.pdf). For more information, please call Teresa Hurley at (512) 239-5316.

### **(Effective 5 December 2006) TX Water Development Board Proposed Regulations: Designation of Groundwater Management Areas and Investment Procedures (31 TAC 356.23, 31 TAC 365.13).**

The Board adopted amendments to 31 TAC §356.23 of Chapter 356, concerning Groundwater Management, Subchapter B, Designation of Groundwater Management Areas. This section designates and delineates groundwater management areas (GMAs) as required by statute. The board proposes amendments to §356.23 to correct an error in the boundary lines for the previously designated and delineated groundwater management areas. Additionally, a software update has resulted in seven digital files instead of three that made up the original data set. The seven updated digital files collectively constituting a data set delineating the corrected ground water management area boundary lines are adopted by reference. A CD-ROM containing the corrected data is located in the offices of the board and is on file with the Secretary of State, Texas Register. The corrected CD-ROM contains all of the geographic information system data used to create the boundaries as well as software and instructions on how to locate a specific area by coordinates or other means on a digital map. The effective date is 5 December 2006. The final amendments are available at

<http://www.sos.state.tx.us/texreg/sos/adopted/31.NATURAL%20RESOURCES%20AND%20CONSERVATION.html#150>. For more information, please call Wendall Corrigan Braniff at (512) 475-2052

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

### **(Effective 26 January 2007) EPA Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Reid Vapor Pressure Requirements for Gasoline.**

EPA is taking direct final action approving Texas State Implementation Plan (SIP) revisions. The revisions pertain to Reid Vapor Pressure (RVP) requirements for gasoline. The revisions add exemptions to RVP requirements for research laboratories and academic institutions, competition racing, and gasoline that is being stored or transferred that is not used in the affected counties. The revisions also reduce recordkeeping requirements for retail gasoline dispensing outlets in the affected counties, and correct a typographical error. EPA is approving the revisions pursuant to section 110 and part D of the Federal Clean Air Act (CAA). This rule is effective on 26 January 2007 without further notice, unless EPA receives adverse comment by 27 December 2006. If EPA receives such comment, EPA will publish a timely withdrawal in the Federal Register informing the public that this rule will not take effect. For more information, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2006/November/Day-27/a19991.htm>.

### **(Withdrawn 21 November 2006) Approval and Promulgation of Air Quality Implementation Plans; Texas: Revisions to Control Volatile Organic Compound Emissions; Volatile Organic Compound Control for El Paso, Gregg, Nueces, and Victoria Counties and the Ozone Standard Non-attainment Areas of Beaumont/Port Arthur, Dallas/Fort Worth, and Houston/Galveston.**

On 28 September 2006 ([71 FR 56872](#)), EPA published a direct final rule approving Texas State Implementation Plan (SIP) revisions that pertain to regulations to control Volatile Organic Compound (VOC) emissions from facilities in Texas. The direct final action was published without prior proposal because EPA anticipated no adverse comment. EPA stated in the direct final rule that if EPA received adverse comment by October 30, 2006, EPA would publish a timely withdrawal in the Federal Register. EPA subsequently received a timely adverse comment on the direct final rule. Therefore, EPA is withdrawing the direct final approval. EPA will address the comment in a subsequent final action based on the parallel proposal also published on September 28, 2006 ([71 FR 56920](#)). As stated in the parallel

proposal, EPA will not institute a second comment period on this action. The direct final rule, published on 28 September 2006 ([71 FR 56872](#)), is withdrawn as of 21 November 2006.

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## REGION 7 STATE ACTIVITY

### Regulatory & Legislative Web Sites

Iowa Department of Natural Resources (IDNR)	<a href="http://www.iowadnr.com/">http://www.iowadnr.com/</a>
Iowa General Assembly	<a href="http://www.legis.state.ia.us/">http://www.legis.state.ia.us/</a>
Kansas Department of Health and Environment (KDHE)	<a href="http://www.kdhe.state.ks.us">http://www.kdhe.state.ks.us</a>
Kansas Legislature	<a href="http://www.kslegislature.org/cgi-bin/index.cgi">http://www.kslegislature.org/cgi-bin/index.cgi</a>
Missouri Department of Natural Resources (MDNR)	<a href="http://www.dnr.mo.gov/index.html">http://www.dnr.mo.gov/index.html</a>
Missouri General Assembly	<a href="http://www.moga.state.mo.us/">http://www.moga.state.mo.us/</a>
Nebraska Department of Environmental Quality (NDEQ)	<a href="http://www.deq.state.ne.us">http://www.deq.state.ne.us</a>
Nebraska Legislature	<a href="http://www.unicam.state.ne.us/">http://www.unicam.state.ne.us/</a>

## IOWA

## Legislative/Regulatory Activity

**NOTICE:** With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The 2007 Iowa legislative session will begin on 8 January and adjourn on 28 April.

### STATE OF IOWA PROPOSED RULES

**(NEW) IA Department of Natural Resources Draft Rule: Adopting Revisions to Federal Ambient Air Quality Standards Finalized by EPA 17 October 2006 (Chapter 28).** The Department is proposing to adopt revisions to federal ambient air quality standards that were finalized by the United States Environmental Protection Agency (USEPA) 10/17/06. The revisions addressed fine particulate matter and inhalable coarse particulate matter. The draft rule is scheduled to go before the Environmental Protection Commission (EPC) for initial pre-notice review 5 December 2006. A copy of the draft rule can be found at <http://www.iowadnr.com/epc/06dec/24.pdf>. For more information, please call Jim McGraw at (515) 242-5167.

**(UPDATE IA Department of Natural Resources Proposed Rule: Best Available Retrofit Technology. BART (Chapter 22).** The Department had been discussing a rulemaking to address best available retrofit technology (BART) exemption determinations and engineering analyses based on the federal Regional Haze Rule. The information gathered would have allowed the department to review the BART-eligible sources for possible exemption. Subsequent Department analysis indicated that exempting BART-eligible units at a specific threshold was unnecessary, because the identified BART-eligible units do not cause or contribute to visibility impairment. The Department is initiating rulemaking to describe the process by which a stationary source is notified of its BART-eligibility status, define the criteria that establish a BART-eligible source's contribution to regional haze, outline the requirements for completing a BART analysis, and create a notification process for the initial and periodic reviews in the context of the federal Regional Haze Regulations. The federal rule was adopted the week of 6/15/05, and the department had undergone the process of sorting through the rule before it takes any initial steps in its rulemaking process. Staff had initially indicated that the proposal discussions would probably not begin until 9/05, but staff now indicates that the rulemaking had been put on hold indefinitely. Subsequent Department analysis indicated that exempting BART-eligible units at a specific threshold was unnecessary, because the identified BART-eligible units do not cause or contribute to visibility impairment. The draft rule addressing BART-eligibility notification, regional haze contribution criteria, BART analysis completion, and notification for periodic reviews went before the EPC 5 December 2006 for initial pre-notice review. A copy of the draft rule going reviewed by the Environmental Protection Commission (EPC) can be found at [www.iowadnr.com/epc/06dec/22.pdf](http://www.iowadnr.com/epc/06dec/22.pdf). For additional information, please contact Chad Daniel at (515) 242-6494.



## OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

### **(UPDATE) IA Department of Natural Resources Departmental Discussion: Air Construction Permit Exemption for Non-Major Facilities Servicing Agricultural and Construction Equipment Mobile Internal Combustion Engines (Chapter 22).**

IDNR has drafted a rule to create an Air Construction Permit exemption for non-major repair facilities and dealerships that service agricultural and construction equipment mobile internal combustion engines. The Department had previously discussed applying the exemption to facilities servicing vehicles operating on engines that exceed 400 (four hundred) horse power (hp), but less than 750 (seven hundred fifty) hp, but subsequent workgroup deliberations resulted in eliminating the provisions on horsepower. The draft rule went before the EPC for initial pre-notice review 5 December 2006. The initial Department announcement regarding this initiative, containing references to horsepower, can be found here:

<http://www.iowadnr.com/air/news/articles/06jun08.html>. A copy of the draft rule scheduled for initial pre-notice review by the Environmental Protection Commission (EPC) 5 December 2006 can be found at <http://www.iowadnr.com/epc/06dec/23.pdf>. For more information, please call Jim McGraw at (515) 242-5167.

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## **KANSAS**

## **Legislative/Regulatory Activity**

**NOTICE:** With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Kansas legislature will be in session beginning 8 January and adjourn in April-May 2007.

## REGULATORY ACTIVITY AND GENERAL INFORMATION

### **(NEW) KS Department of Health and Environment Proposed Permit: General Stormwater Permit for Construction Activities Disturbing 1.0 or More Acres (General Permit No. S-MCST-0701-1).**

KDHE is proposing a general stormwater permit for construction activities disturbing 1.0 or more acres. The proposed permit also addresses certain non-stormwater discharges related to construction activities, and will replace the current general permit for stormwater discharges from construction, which is scheduled to expire 31 December 2006. Major proposed revisions include: (1) Removal of reference to "large construction activity"; (2) Clarification on a complete Notice of Intent submittal; (3) re-definition of the termination criteria for subdivision projects; and (4) Various wording changes to clarify permit requirements. Comments are due 30 December 2006. A copy of the proposed permit can be found here: [http://www.kdheks.gov/stormwater/cons\\_stormwater\\_permit.htm](http://www.kdheks.gov/stormwater/cons_stormwater_permit.htm). For more information, please call Joe Mester at (785) 296-6804.

### **(UPDATE) KS Water Authority - Drinking Water, Groundwater, Stormwater, Water, Water Quality**

The Water Authority conducted two public hearings on 17 October 2006 concerning its policy recommendations to create a multi-agency group to work locally with private and public entities in their efforts to encourage development at and adjacent to federal reservoirs. Special initiatives included: providing information and assistance to prospective developers and promulgating rules and regulations requiring any person wishing to develop land within a designated area adjacent to a reservoir to demonstrate how wastewater and sewage, stormwater runoff, and solid waste produced during and after development will be managed to minimize reservoir water quality impacts. State responsibilities include protection of wildlife and drinking water at the reservoirs. The authority met again on 16 and 17 November 2006. Agenda items included the public water supply in the city of Edgerton (KS), final drafts for economic development at Federal Reservoirs, and the group's annual report to the Governor and legislature. For more information, please go to <http://www.kwo.org/>.

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**NOTICE:** With regard to any and all legislation and or regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The Missouri legislature will begin the 2007 session on 3 January and adjourn on 30 May.

## **STATE OF MISSOURI FINAL RULES**

**(Effective 30 November 2006) Missouri Department of Natural Resources Final Regulations: Incorporation of Federal Air Rules New Source Performance Standards, MACT and NESHAP (10 CSR 010-6.070, 10-6.075 & 10-6.080).** The Department adopted rule amendments that incorporate federal air pollution regulations as of 30 June 2004. The three issues addressed are: New Source Performance Standards (NSPS) regulations, Maximum Achievable Control Technology (MACT) requirements, and National Emissions Standards for Hazardous Air Pollutants (NESHAP). The amendments adopt nearly identical versions of three federal regulations located in 40 CFR parts 60, 61 and 63. The only changes are minor and adapt certain administrative terms (e.g., agency names), incorporate certain exceptions under state law, and clarify potential conflicts with existing state regulations. The effective date is 30 November 2006. The final amendments are available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf>. For more information, please call Don Cripe (573)751-4817.

**(Effective 30 November 2006) MO Department of Natural Resources Final Regulations: Submission of Emission Data, Emission Fees and Process Information (10 CSR 010-06.110).** MDNR adopted amendments to its regulations concerning submission of emission data, emission fees and process information. This rulemaking proposes to revise of the air pollution emission fee amount as required by section 643.079, RSMo. The range for the emission fee amount is also established by statute. Program operational costs are evaluated to determine the amount of funding needed. Funding requirements are used to set the appropriate emission and service fee levels within the range established by statute. Other proposed rulemaking changes are 1) changing the April 1 due dates for emission fees and emission inventory questionnaires to June 1 so that all Classifications will have the June 1 due date for fees and questionnaires and 2) changing the calendar year 2005 to calendar year 2006 for emitted regulated air pollutants. The effective date is 30 November 2006. The rulemaking is available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf>. For additional information, please contact Chief, Operations Section at (573) 751-4817.

**(Effective 30 November 2006) Missouri Department of Natural Resources Final Regulations: Control of NO<sub>x</sub> emissions from Upwind Sources (2863) (10 CSR 10-6.345).** The Department finalized a rule regarding NO<sub>x</sub> emissions from upwind sources in the St. Louis area. The rule protects air quality in the St. Louis area by addressing NO<sub>x</sub> sources proposed for construction outside and upwind of the St. Louis non-attainment area. The rule covers large NO<sub>x</sub> sources in upwind and outside the St. Louis 8-hour ozone non-attainment area that have the potential to affect air quality in the area. The rulemaking is available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf>. For additional information, please contact Paul Myers (573) 751-4817.

**(Effective 30 November 2006) MO Department of Natural Resources Final Rule: Modification of Hazardous Waste Manifest System (2886) (10 CSR 25-5.262).** MDNR finalized amendments to its hazardous waste manifest system that provide for a standardization of manifest forms according to federal requirements. This allows hazardous waste transporters who operate in several states to use the same form in each, simplifying their operations. The effective date is 30 November 2006. The final rulemaking is available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf>. For additional information, please contact Tim Eiken at (573) 751-3176.

**(Effective 30 November 2006) MO Department of Natural Resources Final Regulations: Hazardous Waste Management Amendments (Labeling And Manifesting) (10 CSR 25-4.261 et. al.).** The Department adopted amendments to its hazardous waste management regulations that incorporate many of the federal requirements, modify the methods for identifying hazardous wastes, revise the universal waste

definition, and change the rules applicable to generators and transporters of hazardous waste. The effective date is 30 November 2006. The final amendments are available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf>. For additional information, please contact Rules Coordinator (573) 751-3176.

## **STATE OF MISSOURI PROPOSED RULE**

**(NEW) MO Department of Natural Resources Proposed Regulations: Construction Permits by Rule (10 CSR 10-6.062, 10-6.350).** The Department is proposing amendments to its air regulations regarding construction permits by rule. This rule creates a process by which sources can be exempt from 10 CSR 10-6.060 Construction Permits Required, by establishing conditions under which specific sources can construct and operate. This amendment adds language that states that the Department has seven days to do a pre-construction permit review. A public hearing was held on 7 December 2006. Comments are due 14 December 2006. The proposed amendments are available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n21/v31n21b.pdf> (Page 1766). For more information, please call Erin Beshaw at (573) 751-4817.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(NEW) MO Department of Natural Resources Executive Order: Executive Order Regarding Numerous Environmental Areas (Executive Order 06-41).** On 11 October 2006, the Governor of Missouri signed into effect Executive Order 06-41. The Order creates the Interdepartmental Coordination Council for Water Quality, which will be composed of an individual from each of the relevant state agencies. The purpose of the Council is to develop specific, quantifiable, objective performance standards for water resource protection, drinking water, wastewater and runoff, well construction and design, flood and drought management, interstate river issues, dam safety, and overall state water planning. The Council must report on their objective performance standards to the Governor by 31 December 2006. The Council will dissolve on 30 June 2007. The Executive Order is available at <http://www.sos.mo.gov/adrules/moreg/current/2006/v31n22/v31n22a.pdf>. For more information, please call the Office of the Governor (573) 751-3222.

**(Effective 5 January 2007) Approval and Promulgation of Implementation Plans; State of Missouri.** EPA is taking direct final action to approve a revision to the State Implementation Plan (SIP) revision submitted by the State of Missouri to add a test method for compliance testing to the rule that will reduce emissions of nitrogen oxides (NO<sub>x</sub>) of major sources in the St. Louis ozone non-attainment area. This direct final rule will be effective 5 January 2007, without further notice, unless EPA receives adverse comment by 6 December 2006. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect. For more information, please go to <http://www.epa.gov/fedrgstr/EPA-AIR/2006/November/Day-06/a18567.htm>

**The Universal Waste Rule in Missouri.** Universal wastes are hazardous wastes, but not all hazardous wastes can be universal wastes. In order to be a universal waste, a hazardous waste must meet certain criteria established by EPA. In general, to qualify as a universal waste a hazardous waste must be widespread, commonly found in medium to large volumes, exhibit only low-level hazards or be easily managed. It is important to note that disposal of hazardous wastes in Missouri sanitary landfills (except by households or de minimis amounts from conditionally exempt generators) has been illegal since 1 January 1994 (Section 260.432 RSMo). For more details, please go to <http://www.dnr.mo.gov/env/pmnr/pmnr06-11.htm> or [www.dnr.mo.gov/pubs/pub2058.pdf](http://www.dnr.mo.gov/pubs/pub2058.pdf).

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**NOTICE:** With regard to any regulations, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions or comments, and an expression of interest to participate in stakeholder work group.

The 2007 Nebraska legislative session will begin on 3 January and adjourn 90 legislative days thereafter (April - May 2007).

## **STATE OF NEBRASKA PROPOSED RULE**

**(NEW) NE Department of Environmental Quality Proposed Regulations: Rules and Regulations for the Design, Operation and Maintenance of On-Site Wastewater Treatment Systems, Chapters 21 & 22 and Appendix A - J (Title 124).** NDEQ is proposing amendments to its wastewater regulations for private onsite wastewater treatment system contractors. The revisions include changing the initial certification fee and the renewal fee for the Master level from \$300 to \$400. The Journeymen level fee would increase from \$100 to \$150. The registration fee would change from \$50 to \$200. A late registration fee of \$25 has been added. A public hearing was held on 1 December 2006. The proposed regulations are available at <http://www.deq.state.ne.us/Proposed.nsf/Pages/Proposed>. For additional information, please contact Tom Lamberson at (402) 471-3588.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(UPDATE) NE Department of Environmental Quality Departmental Discussion: Mercury Emissions Amendments Pursuant to the Clean Air Mercury Rule (CAMR).** The Department is discussing draft regulations for mercury emissions pursuant to the Clean Air Mercury Rule (CAMR). The Department is currently waiting for legislative approval to promulgate regulations in this area. Staff reports that they plan to propose regulations very similar to the federal model rules with some slight changes in the numerical portion. Staff reports that they do not anticipate a rule proposal until May of 2007. The Department is accepting comments on a stakeholder letter regarding regulatory options on a rolling basis. Additional information is available at <http://www.deq.state.ne.us/AirDivis.nsf/Pages/Mercury> For additional information, please contact Melissa Wolf at (402) 471-2186.

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## **FEDERAL ACTIONS**

### **EPA FINAL RULE**

**(Effective 8 January 2007) National Primary Drinking Water Regulations: Ground Water Rule.** EPA is promulgating a National Primary Drinking Water Regulation, the Ground Water Rule, to provide for increased protection against microbial pathogens in public water systems that use ground water sources. This final rule is in accordance with the Safe Drinking Water Act as amended, which requires EPA to promulgate National Primary Drinking Water Regulations requiring disinfection as a treatment technique for all public water systems, including surface water systems and, as necessary, ground water systems. The Ground Water Rule establishes a risk-targeted approach to target ground water systems that are susceptible to fecal contamination, instead of requiring disinfection for all ground water systems. The occurrence of fecal indicators in a drinking water supply is an indication of the potential presence of microbial pathogens that may pose a threat to public health. This rule requires ground water systems that are at risk of fecal contamination to take corrective action to reduce cases of illnesses and deaths due to exposure to microbial pathogens. For more details, please go to <http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/06-8763.htm>.

## **EPA PROPOSED RULE**

### **National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities.**

This action proposes national emission standards for hazardous air pollutants for certain area source facilities. Specifically, this proposal sets forth two regulatory alternatives. The first alternative (Regulatory Alternative 1) proposes emission standards for bulk gasoline terminals, pipeline facilities, and bulk gasoline plants. The second alternative (Regulatory Alternative 2) is identical to the first alternative, except that it also proposes emission standards for gasoline dispensing facilities. EPA proposes these emission standards for hazardous air pollutants pursuant to Clean Air Act section 112(c)(3) and 112(d)(5). This action also announces that we are not regulating the above-noted facilities under Clean Air Act section 112(c)(6). EPA estimates that the proposed standards would result in an annual reduction of about 3,300 and 3,400 tons of hazardous air pollutant emissions (including about 120 and 125 tons of benzene), and about 45,000 and 46,200 tons of volatile organic compound emissions for the proposed Regulatory Alternatives 1 and 2, respectively. This represents about a 9 and 10 percent reduction of emissions from area sources in the gasoline distribution source category for the proposed Regulatory Alternatives 1 and 2, respectively. EPA anticipates the draft grant guidelines will become available between 21 November 2006 and 31 March 2007. For more details, please go to

<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/E6-19745.htm>.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**Lithium/Sulfur Dioxide Battery Disposal Guidelines.** EPA agrees with the Army that discharged Lithium/Sulfur Dioxide batteries (LiSO<sub>2</sub>) batteries no longer show the reactivity characteristic. Batteries can be discharged and disposed of if managed as Universal Waste or as hazardous waste, but not in Satellite Accumulation Areas and not in battery shops. Because the Land Disposal Requirement (LDR) for acetonitrile is not met, the batteries remain Hazardous Waste/Universal Waste. Acetonitrile cannot be removed or treated w/o dismantling/destroying the battery at cost savings over HW disposal. Therefore, the guidance remains the same: manage as Universal Waste for convenience, discharge for safety, use permitted storage, but dispose of or recycle as Universal Waste or Hazardous Waste, never as non-hazardous Solid Waste. For more details, please contact the Media Manager at (410) 436-7068.

**Notice: Draft Grant Guidelines for States Regarding Inspection Provision and State Compliance Report on the Government Underground Storage Tanks Provision; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005.** By this notice, the Environmental Protection Agency (EPA), Office of Underground Storage Tanks (OUST) is advising the public of the future availability of draft grant guidelines for states regarding the inspection provision and state compliance report on the government underground storage tanks (USTs) provision. These two grant guidelines are being developed to help states comply with requirements for receiving funding under Subtitle I of the Solid Waste Disposal Act as established in Title XV, Subtitle B of the Energy Policy Act of 2005. EPA is asking the public to review and comment on the guidelines as they become available. EPA encourages interested stakeholders to check regularly EPA's Web site at [http://www.epa.gov/oust/fedlaws/epact\\_05.htm](http://www.epa.gov/oust/fedlaws/epact_05.htm) where the draft guidelines will be posted as they become available over the next several months.

**Clarification: Draft Grant Guidelines for States Regarding Inspection Provision and State Compliance Report on the Government Underground Storage Tanks Provision.** Since publishing these guidelines, EPA has learned that there is some confusion about whether states should prohibit deliveries to all USTs at a facility, especially when some USTs at the facility serve an entirely different purpose than the non-compliant UST(s). EPA did not intend for states to prohibit deliveries to all USTs at a facility when doing so would raise public concerns. EPA has made it clear that states have the discretion to consider the public interest effects of such prohibitions. For example, if a UST at a gas station on a military base is determined to be ineligible to receive petroleum, the intent of the guidelines is to give the states the flexibility to prohibit deliveries to the specifically identified UST or to all of the USTs located at that particular gas station. However, the intent is not to prohibit deliveries to other compliant USTs that are not associated with that gas station, such as those tanks used to fuel jets elsewhere on the base. Similarly, it may not serve the public interest to prohibit the delivery of product to an emergency generator at a university hospital if one of the university's tanks used for fueling maintenance vehicles is out of compliance. For these sites, the intent of these guidelines is to apply the delivery prohibition to a UST or to multiple related USTs at an individual location within the larger facility, not to unrelated compliant USTs located



elsewhere within the facility that serve the public function. For more information, please contact the CREO Regional Counsel at (816) 389-3448.

**EPA Issues Final Rule on Pesticides Applied to Water.** On 20 November 2006, EPA Administrator Stephen Johnson signed a final rule that describes two circumstances under which National Pollutant Discharge Elimination System (NPDES) permits are not required to apply pesticides to waters of the United States. EPA issued a final rule clarifying two specific circumstances in which a Clean Water Act (CWA) permit is not required to apply pesticides to or around water. The two points of clarification are: 1) the application of pesticides directly to water in order to control pests; and 2) the application of pesticides to control pests that are present over or near water, where a portion of the pesticides will unavoidably be deposited to the water in order to target the pests. The action puts into effect a rule that confirms EPA's past operating approach that pesticides legally registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for application to or near aquatic environments, and legally applied to control pests at those sites, are not subject to NPDES permit requirements. Additional information, including a copy of the final rule, is available at [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=41#water\\_transfer](http://cfpub.epa.gov/npdes/home.cfm?program_id=41#water_transfer). The rule will be effective 60 days after publication in the Federal Register.

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## REGIONAL MEETINGS

**2007 Army Environmental Training Symposium.** This meeting will be held in **St. Louis, Missouri** in **11-16 March 2007**. More information will be included, when it becomes available.

**Association of the United States Army.** This meeting will be held in **Kansas City, Missouri** in **17-19 April 2007**. More information will be included, when it becomes available.

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## TRAINING COURSES AND WORKSHOPS

**USACE PROSPECT Training.** The FY07 Proponent-Sponsored Engineer Corps Training (PROSPECT) Program is now available on line at <http://pdsc.usace.army.mil>. The Purple Book, which includes the proposed scheduled training classes and sessions for FY06, is found at this location. FY06 PROSPECT is offering of the following course among others:

- **The CERCLA/RCRA Process.** This 24-hour course trains USACE personnel involved with hazardous and toxic waste projects on military and civil works projects in the proper application of CERCLA, RCRA and other relevant environmental laws, regulations, and policies. This course is ISEERB approved. <http://pdsc.usace.army.mil/CourseListDetail.aspx?CtrlNbr=356>.

**Introductory Risk Communication Workshop.** This Introductory Risk Communication Workshop helps anticipate, analyze, and address issues that could affect an organization's mission. The workshop applies the use of lectures with interactive discussions, individual work, group work, use of numerous videos to demonstrate points, use of a personal instrument and other exercises including what to take back to work from the workshop. The training includes how to develop a risk communication strategy and plan for any issue for both internal and external stakeholders. The workshop will be held in **San Antonio, Texas** on **16-18 January 2007** and in **St. Louis, Missouri** on **5-7 June 2007**. For more details, please go to <http://chppm-www.apgea.army.mil/risk>.

**Biological Assessment Workshops Presented by the Southwest Endangered Species Act Team.** This course is being offered jointly by the US Fish and Wildlife Service's National Conservation Training Center and the Southwest Strategy, and will be presented by Southwest Endangered Species Act Team (SWESA) members. The purpose of the course is to provide instruction and tools needed to prepare biological assessments, biological evaluations, and similar documents that initiate section 7 consultation under the Endangered Species Act with the US Fish and Wildlife Service. The workshops will be held in **Albuquerque, New Mexico** on **22-24 or 24-26 January 2007**. There is no fee for this workshop. For more information, please go to

<http://www.fws.gov/arizonaes/Documents/MiscDocs/BAWorkshop06.pdf#search=%22swesa%20Biological%20Assessment%20Workshops%2B2006%22>.

**Hazardous Waste Management and Manifesting Initial DOT Certification Course.** As part of the US Army Corps of Engineers PROSPECT Training program, this 36-hour course fulfills the initial training requirements of 49 CFR 172, Subpart H and DOD 4500.9-R as they relate to the management and transportation of hazardous waste and the use of the new hazardous waste manifest. Training topics include RCRA waste classification, land disposal restrictions and notifications, generator requirements, manifesting requirements, identification of a DOT Reportable Quantity, use of the Hazardous Materials Table, DOT requirements for determining a shipping name, properly packaging, labeling, marking and placarding, and DOT emergency response requirements, and general security awareness training. In addition, the course addresses special EPA and DOT requirements for shipping asbestos and PCBs. Course 223 is listed as an approved DOD training source in DOD 4500.9-R and is ISEERB approved. The tuition is \$1,420 per person. To register, go online at <http://pdsc.usace.army.mil/HowToRegister.aspx> For information about the course (<http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=223>), please call (402) 697-2562. The course is offered in **Phoenix, Arizona** on **12-16 March 2007**.

**Hazardous Waste Management and Manifest DOT Recertification Course.** The intent of this 16-hour USACE PROSPECT course is to fulfill the recurrent training requirements of 49 CFR 172, Subpart H as they relate to the transportation of hazardous wastes and the use of the new hazardous waste manifest. The course is listed as an approved DOD training source in DOD 4500.9-R and is ISEERB approved. The course control number is 429. The tuition for the refresher is \$700 per person. To register, go online at <http://pdsc.usace.army.mil/HowToRegister.aspx> For information about the course (<http://pdsc.usace.army.mil/CourseListDetailNewFy.aspx?CtrlNbr=429>) or call (402) 697-2562. The course is offered in **Phoenix, Arizona** on **14-15 March 2007**. Courses are open to all federal agencies.

**Historic Preservation Law and Section 106 Compliance.** This course is the next step after the "Introduction to Cultural Resource Management Laws and Regulations" course and emphasizes legal compliance (the National Historic Preservation Act Section 106 process). It addresses legislation and the process to meet the requirements of the law to help the student support their installation's mission. Course covers: communications with related oversight agencies (e.g., State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation); Standards for Rehabilitation; use of historic properties; Defining Historic Fabric; Maintenance and Repair of Historic buildings; Archeological Resources; Native American Issues. It is a 3 day, all day course. Please do not plan to leave early. There is no Tuition Cost for this Course. The Interservice Environmental Education Review Board (ISEERB) approves this course. The course will be held on **13-17 February 2007** at **Tampa, Florida** and on **17-19 April 2007** at **Tucson, Arizona**. For more information or to register, please go to <https://www.cecos.navy.mil>.

**2007 DoD Environmental Monitoring and Data Quality Workshop.** The next DoD Environmental Monitoring and Data Quality Workshop is scheduled for **26-30 March 2007** in **Albuquerque, New Mexico**, at the Albuquerque Marriott. Abstracts are being accepted for technical papers for a variety of topics. Abstracts are due by January 15, 2007; however, early submission is encouraged as space is limited. Abstract topics include: DoD emerging contaminants, performance-based contracting, Military Munitions Response Program, laboratory performance, data management and sharing, project planning, measurement uncertainty, field activities, and quality systems implementation. The Workshop also includes training opportunities in: DoD Quality System Manual (QSM) appendices, understanding the QSM for prime contractors, Staged Electronic Data Deliverables (SEDD), the Uniform Federal Policy – Quality Assurance Project Plans (UFP-QAPP) for Project Managers, and translating Data Quality Objectives (DQOs) to Measurement Quality Objectives (MQOs). More information and online registration are available at <http://www.navylabs.navy.mil/DoDChemistmeeting.htm>.

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## CONFERENCES AND SYMPOSIUMS

No conferences or symposia are scheduled at this time.

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**Acronyms and Abbreviations** The list of acronyms and abbreviations can be found on the AEC web site at <http://aec.army.mil/usaec/reo/creo03.html> and on DENIX at <https://www.denix.osd.mil/denix/State/Partnering/REC/rec.html> (click Information Library).

ACSIM = Assistant Chief of Staff for Installation Management  
ADEQ = Arkansas Department of Environmental Quality  
AEA = Atomic Energy Act of 1954  
AEDB = Army Environmental Database  
AERO = Army Environmental Reporting Online  
AFCEE = U.S. Air Force Center for Environmental Excellence  
AFIT = Air Force Institute of Technology  
AIMO = Associated Industries of Missouri  
AMOC = Adaptive Management Oversight Committee  
ANPR = Advance Notice of Proposed Rulemaking  
ANSI = American National Standards Institute  
APA = American Planning Association  
APC&EC = Arkansas Pollution Control and Ecology Commission  
AQCR = Air Quality Control Region  
AQI = Air Quality Index  
AST = aboveground storage tank  
ASTM = American Society for Testing and Materials  
ASTSWMO = Association of State and Territorial Solid Waste Management Officials  
ATV = all-terrain vehicle  
AWMA = Air & Waste Management Association  
BAT = best available technology  
BGEPA = Bald and Golden Eagle Protection Act  
BIA = Bureau of Indian Affairs  
BOR = Bureau of reclamation  
BRAC = Base Realignment and Closure  
CAA = Clean Air Act  
CACO = Congressional Affairs Contact Officer  
CADD = computer-aided design and drafting  
CAM = compliance assurance monitoring  
CAMU = corrective action management unit  
CARB = California Air Resources Board  
CBT = computer-based training  
CCAR = Coordinating Committee for Automotive Repair  
CCP = Comprehensive Conservation Plan  
C&D = construction and demolition  
CECOS = Civil Engineer Corps Officers  
CenSARA = Central States Air Resources Agencies  
CEPPO = Chemical Emergency Preparedness and Prevention Office  
CERCLA = Comprehensive Environmental Response, Compensation and Liability Act  
CESQG = conditionally exempt small-quantity generator  
CFC = chlorofluorocarbon  
CFR = Code of Federal Regulations  
CHPPM = U.S. Army Center for Health Promotion and Preventative Medicine  
CINWL = commercial industrial nonhazardous waste landfill  
CISWI = commercial and industrial solid waste incinerator  
CO = carbon monoxide  
CREO = Central Regional Environmental Office  
CSR = Code of State Regulations  
CTIC = Conservation Technology Information Center  
CTT = closing, transferring and transferred ranges  
CWA = Clean Water Act  
DAC = Defense Ammunition Center  
DBP = disinfection byproduct  
DBPR = Disinfectants and Disinfection Byproducts Rule  
DEI = Directorate of Environmental Integration

DENIX = Defense Environmental Network & Information eXchange  
 DERP = Defense Environmental Restoration Program  
 DFW = Dallas/Fort Worth  
 DNT = dinitrotoluene  
 DoD = U.S. Department of Defense  
 DOE = U.S. Department of Energy  
 DOI = U.S. Department of Interior  
 DOT = U.S. Department of Transportation  
 DRMS = Defense Reutilization and Marketing Service  
 DSMOA = Defense/State Memorandum of Agreement  
 EA = environmental assessment  
 EAC = Early Action Compact  
 ECAS = Environmental Compliance Assessment System  
 ECHO = Enforcement and Compliance History Online  
 ECOS = Environmental Council of the States  
 ECSR = Environmental Compliance Status Report  
 EIS = environmental impact statement  
 EMR = environmental management review  
 EMS = environmental management system  
 EO = executive order  
 EPA = U.S. Environmental Protection Agency  
 EPAS = Environmental Performance Assessment System  
 EPCRA = Emergency Planning and Community Right-to-Know Act  
 ER = environmental restoration  
 ERC = Emission Reduction Credit  
 ERTTP = Environmental Response Training Program  
 ETMD = Environmental Training and Management Division  
 EVR = Enhanced Vapor Recovery  
 FAA = Federal Aviation Administration  
 FEIS = Final Environmental Impact Statement  
 FIFRA = Federal Insecticide, Fungicide and Rodenticide Act  
 FFEO = Federal Facilities Enforcement Office  
 FM = facilities management  
 FR = Federal Register  
 FS = Feasibility Study  
 FUDS = Formerly Used Defense Sites  
 FY = fiscal year  
 GAO = General Accounting Office  
 GCP = general construction permit  
 GIS = geographic information system  
 gpd = gallons per day  
 GSA = General Services Administration  
 HAP = hazardous air pollutant  
 HAZMAT = hazardous materials  
 HAZWOPER = Hazardous Waste Operations and Emergency Response  
 HB = House Bill  
 HGA = Houston/Galveston Area  
 HJR = House Joint Resolution  
 HM = hazardous material  
 HMIRS = Hazardous Materials Information Resource System  
 HMIWI = hospital/medical/infectious waste incinerator  
 HMX = high melting point explosive  
 HQ = headquarters  
 HRVOC = highly-reactive volatile organic compounds  
 HSB = House Study Bill  
 HTRW = hazardous/toxic and radioactive waste  
 IAC = Iowa Administrative Code  
 IBR = Incorporated By Reference  
 IDNR = Iowa Department of Natural Resources  
 IDOT = Iowa Department of Transportation

IESWTR = Interim Enhanced Surface Water Treatment Rule  
 I&M = inspection and maintenance  
 IMI = Installation Management Institute  
 INSTEP = International Society of Technical and Environmental Professionals  
 ISEERB = Interservice Environmental Education Review Board  
 ISO = International Organization for Standardization  
 ISR = Installation Status Report  
 ITAM = Integrated Training Area Management  
 ITRC = Interstate Technology Regulatory Council  
 JRTC = Joint Readiness Training Center  
 KAR = Kansas Administrative Rules  
 KCMA = Kansas City Metropolitan Area  
 KDA = Kansas Department of Agriculture  
 KDHE = Kansas Department of Health and Environment  
 kW = kilowatt  
 LAC = Louisiana Administrative Code  
 LAMW = low-activity mixed waste  
 LANL = Los Alamos National Laboratory  
 LB = legislative bill  
 LDEQ = Louisiana Department of Environmental Quality  
 LDR = land disposal restriction  
 LLRW = low level radioactive waste  
 LPDES = Louisiana Pollutant Discharge Elimination System  
 LPST = leaking petroleum storage tank  
 LQG = large quantity generator  
 LT1ESWTR = Long Term 1 Enhanced Surface Water Treatment Rule  
 LT2ESWTR = Long Term 2 Enhanced Surface Water Treatment Rule  
 LUC = land use control  
 LUST = leaking underground storage tank  
 MACT = maximum achievable control technology  
 MCL = maximum contaminant level  
 MCLG = maximum contaminant level goal  
 MDNR = Missouri Department of Natural Resources  
 MDS = minimum desirable streamflow  
 MSDS = Material Safety Data Sheet  
 MEG = Military Environmental Group  
 MEGCs = multiple-element gas containers  
 MEK = methyl ethyl ketone  
 mg/L = milligram per liter  
 mg/yr = megagrams per year  
 MMR = Military Munitions Rule  
 mph = mile per hour  
 MP&M = metal products and machinery  
 M2R = Military Munitions Rule  
 mrem = millirem  
 mrem/yr = millirem per year  
 MRDLGs = maximum residual disinfectant level goals  
 MS4 = municipal separate storm sewer system  
 MSDS = material safety data sheet  
 MSWG = Multi-State Working Group  
 MSWLF = municipal solid waste landfill  
 MSWTS = municipal solid waste transfer station  
 MTBE = methyl tertiary butyl ether  
 MVECP = Motor Vehicle and Engine Compliance Program  
 MVEB = Motor Vehicle Emission Budget  
 MWC = municipal waste combustion  
 NAAQS = National Ambient Air Quality Standard  
 NAICS = North American Industry Classification System  
 NDEQ = Nebraska Department of Environmental Quality  
 NDIA = National Defense Industrial Association



NEPA = National Environmental Policy Act  
 NESHAP = National Emission Standards for Hazardous Air Pollutants  
 NFPA = National Fire Protection Association  
 NGWA = National Ground Water Association  
 NHPA = National Historic Preservation Act  
 NMAC = New Mexico Administrative Code  
 NMED = New Mexico Environment Department  
 NMOC = non-methane organic compound  
 NO<sub>x</sub> = nitrogen oxides  
 NORM = naturally occurring radioactive material  
 NPDES = National Pollutant Discharge Elimination System  
 NRC = Nuclear Regulatory Commission  
 NREO = Northern Regional Environmental Office  
 NREP = National Registry of Environmental Professionals  
 NSP = new source performance  
 NSR = new source review  
 OAC = Oklahoma Administrative Code  
 OCLL = Office of Chief, Legislative Liaison  
 ODEQ = Oklahoma Department of Environmental Quality  
 OE = ordnance and explosives  
 OFR = Office of the Federal Register  
 OMB = Office of Management and Budget  
 OMEG = Oklahoma Military Environmental Group  
 ORVR = onboard refueling vapor recovery  
 OSHA = Occupational Safety and Health Administration  
 OSPRA = Oil Spill Prevention and Response Act  
 OSSF = on-site sewage facility  
 OSWER = Office of Solid Waste and Emergency Response  
 P2 = pollution prevention  
 PASS = Permit Application Software System  
 PAL = plant-wide applicability limitation  
 PBR = permit by rule  
 PBT = persistent bioaccumulative toxin  
 PCB = polychlorinated biphenyl  
 pCi/L = picocurie per liter  
 PEMS = Predictive Emission Monitoring Systems  
 PER = Permitting for Environmental Results  
 PHMSA = Pipeline And Hazardous Materials Safety Administration  
 P.L. = public law  
 PM = particulate matter  
 PM<sub>2.5</sub> = Fine Particulate Matter with a diameter smaller than 2.5 microns  
 POC = point of contact  
 POM = Program Objective Memorandum  
 POTW = publicly owned treatment works  
 ppb = part per billion  
 ppm = part per million  
 PRP = potentially responsible party  
 PSD = prevention of significant deterioration  
 PST = petroleum storage tank  
 PSTTF = Petroleum Storage Tank Trust Fund  
 PTE = potential to emit  
 PWS = public water system  
 RACM = reasonably available control measures  
 RACT = reasonably available control technology  
 RCRA = Resource Conservation and Recovery Act  
 RDX = Royal Demolition eXplosive  
 REC = Regional Environmental Coordinator  
 REGFORM = Regulatory Environmental Group for Missouri  
 RFG = reformulated gasoline  
 RI = remedial investigation

RICE = reciprocating internal combustion engine  
 ROD = record of decision  
 SAME = Society of American Military Engineers  
 SB = Senate Bill  
 SDWA = Safe Drinking Water Act  
 SDWIS = Safe Drinking Water Information System  
 SERDP = Strategic Environmental Research and Development Program  
 SIC = Standard Industrial Classification  
 SIP = State Implementation Plan  
 SM = Senate Measure  
 SO<sub>2</sub> = Sulfur dioxide  
 SPCC = Spill Prevention, Control, and Countermeasure  
 SQG = small quantity generator  
 SREO = Southern Regional Environmental Office  
 TAC = Texas Administrative Code  
 TBD = to be determined  
 TCEQ = Texas Commission on Environment Quality  
 TCM = transportation control measure  
 TDS = total dissolved solids  
 TEFs = Toxicity equivalency factors (related to dioxins)  
 TEQ = Toxicity equivalency (related to dioxins)  
 TERP = Texas Emissions Reduction Plan  
 TIM = Transformation of Installation Management  
 TMDL = total maximum daily load  
 TPDES = Texas Pollutant Discharge Elimination System  
 TRI = Toxics Release Inventory  
 TRI-DDS = Toxics Release Inventory – Data Delivery System  
 TRRP = Texas Risk Reduction Program  
 TSCA = Toxic Substances Control Act  
 TSP = Total Suspended Particulate  
 tpy = tons per year  
 TNT = trinitrotoluene  
 TXEP = Texas Environmental Partnership  
 UIC = underground injection control  
 UN = United Nations  
 USACE = U.S. Army Corps of Engineers  
 USAEC = U.S. Army Environmental Center  
 U.S.C. = United States Code  
 USFWS = U.S. Fish and Wildlife Service  
 USGS = U.S. Geological Survey  
 UST = underground storage tank  
 UXO = unexploded ordnance  
 VOC = volatile organic compound  
 WET = whole effluent toxicity  
 WMM = waste military munitions  
 WQBEL = water quality-based effluent limit  
 WQMP = Water Quality Management Plan  
 WREO = Western Regional Environmental Office  
 ug/L = microgram per liter

